



April 29, 2002

Federal Communications Commission
Washington, DC 20554

Reference: Notice of Proposed Rulemaking (WT-02-55) – Improving Public Safety Communications in the 800 MHz Band.

Over the last five years, the Gainesville Regional Utilities has made significant investments in 800 MHz voice and data wireless infrastructure as well as subscriber radios. We have been following recent events leading up this NPRM with great interest and concern. While acknowledging the significant risks posed to Public Safety, Public Service and critical infrastructure users from localized interference from CMRS providers we are hesitant to support any band restructuring plan that imposes significant financial and operational hazards to our systems and users.

First, as background, Gainesville Regional Utilities (GRU) is a community-owned, multi-service utility located in Gainesville, Florida, providing electric, natural gas, water, wastewater, and telecommunications services. GRU serves approximately 80,000 retail and wholesale customers in Gainesville and surrounding unincorporated areas. In 1997, GRU presented proposals to the various public safety and service agencies within Alachua County, Florida to provide a common wireless voice and data infrastructure for use by all these agencies. This proposal was subsequently incorporated in Interlocal Agreements between the participating agencies and GRU. In August 2000, the first two sites of a planned 5-site trunked radio system were activated for use by subscriber agencies. Today, we have 4 transmitter sites, 3 major dispatch centers and over 1600 users in operation with and additional 1000 users being deployed. Our system operates on twenty-two (22) NPSPAC 821 MHz frequencies for trunked voice operations with two (2) ea. NPSPAC 821 MHz mutual aid frequencies at each of our transmitter sites. We also utilize six (6) 806 MHz PS frequencies at 3 urban sites for wireless data. This system configuration allows all participating public safety and service agencies complete interoperability within Alachua County as well as with State of Florida agencies operating on the 821 MHz Mutual Aid channels. Our users have a mixture of analog and digital subscribers. A sample of the agencies utilizing this system is listed below:

- Gainesville Police Department
- Gainesville Fire Rescue
- Gainesville Regional Utilities
- City of Gainesville - including Parks, Public Works, Regional Transit, Nature Operations, etc
- Alachua County Sheriffs Office
- Alachua County Fire Rescue
- Alachua County - including Public Works, Facilities Management, Animal Services, etc.
- University of Florida - Police Department

We are very concerned with the current developments regarding the Nextel white paper and the subsequent NPRM by the FCC. While we certainly do not have the staff or experience to propose new means of spectrum management or realignment, we would like to make several points evident from our own system experiences and observations.

- The primary CMRS interference problem occurs within the interleaved frequencies in the 809-816 MHz range. NPSPAC band users are only affected, if at all, at the borders of the 821-824 MHz range.
- We do not believe that any plan that proposes that public safety and service vacate the NPSPAC spectrum would be desirable. Our system was designed to utilize NPSPAC channels largely because these frequencies, due to their regional coordination and power/height limitations, were the least likely to suffer from distant co-channel interference and because they offer direct interoperability with similar systems on a local, state and federal level. **We would be opposed to moving to any spectrum that does not offer these same protections and advantages.**
- At this time, the 700 MHz spectrum is not available for our use. There is no infrastructure available for us in this band, we have incumbent broadcasters in our area, and regional coordination plans for this spectrum have only recently begun.
- The interference problems created by CMRS and Cellular deployments can be solved with proper engineering and technical solutions. The use of autotune or cavity transmitter filters by the CMRS and Cellular carriers can and does eliminate the primary interference problem. The FCC licensed these carriers to operate in interleaved and adjacent spectrum to Public Safety, Public Service and Business/Industrial Users. The FCC should modify the rules for these commercial carriers to ensure that they are "good neighbors" to the previously authorized and incumbent uses of this spectrum, not move the prior uses and tenants.
- Our system could not just be "re-tuned" to operate in a different portion of the spectrum. We would, in effect have to operate two crippled systems, during a "re-tuning". Our system would have to be split into two halves, an 821 MHz system and an 806 MHz system, while subscribers were "re-tuned". Our dispatch centers would lose most of their dispatch console capabilities during the transition and, due to a loss of resources, our system would be severely impaired if an emergency event or disaster occurred during this transitional period. It is also not likely that all of our existing antenna networks could be utilized during this period which would mean that we would have to install additional antennas and transmission lines. This would not be possible on the three sites where we lease tower space from commercial tower owners.
- If our systems were moved to another band, we would not have sufficient facilities to operate a new and separate system at our existing sites while our users transition from one system to another.

- The imposition of a re-banding and/or realignment of Public Safety/Service systems would be cost prohibitive and would force many users to commercial systems rather than to attempt to replace infrastructure and subscribers that were purchased with **extremely** long replacement schedules. It has been proven in disasters and emergencies throughout the nation that commercial systems cannot handle private and public safety/service traffic during these periods. Just last year, the influx of hurricane evacuees trying to call friends and loved ones crippled the wireless telephone services in our area. Our private voice radio systems, however, operated at peak efficiency, having been designed specifically to handle just such events.

In summary, we ask that the FCC move carefully and to exercise extreme caution in evaluating any and all responses to this NPRM. We believe that the first step the FCC should take is to place further technical restrictions on the CMRS providers that enforce the "good neighbor" policies that have always existed in the Private Land Mobile spectrum. Many of these interference problems have technical solutions that should be explored prior to enforcing any global changes in the spectrum. Failing that, it is also our opinion that it is the CMRS providers that should be moved to new spectrum not Public Safety, Public Service, Business/Industrial and certainly not critical infrastructure systems. All of these systems are vital to the health and safety of our nation and should be protected from both harmful interference as well as costly and expensive solutions to a problem they did not create.

Respectfully,

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